

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

Anthony Vince Nail Spa, Inc.

Plaintiff

vs.

CASE NUMBER: 1:16-cv-1055 (NAM/CFH)

Palazzo Nail Spa, Inc. and An Doan

Defendants

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED: that Plaintiffs motion for default judgment (Dkt. No. 34) is GRANTED in part and DENIED in part; and it is further ORDERED that Palazzo is permanently enjoined from advertising, marketing, promoting, supplying, distributing, offering for sale, or selling manicures, pedicures, facials, and waxing services in conjunction with the following specific combined design elements: (1) faux-sky ceilings, (2) ornate chandeliers, (3) use of arches and pillars to separate interior sections, (4) beige, natural, earth-tone stone finishes, and (5) neutral vanilla colored walls. And it is further ORDERED that Plaintiff shall submit further evidence with respect to reasonable attorneys fees; and it is further ORDERED that the Clerk of the Court shall enter judgment in Plaintiffs favor with respect to its claims as against Palazzo for: 1) trade dress infringement under 15 U.S.C. § 1125(a) (Count 1 of the Complaint); 2) trade dress infringement under New York law (Count 3); and 3) trademark dilution under N.Y. BUS. LAW. § 360-l (Count 4).

All of the above pursuant to the order of the Honorable Norman A. Mordue, dated the 13th day of July, 2018.

DATED: July 13, 2018


Clerk of Court

s/Kathy Rogers
Deputy Clerk